



**TRANSFER OF CLAIM**

☐ Check this box if there has been a transfer of any claim against the debtor by or to any petitioner. Attach all documents evidencing the transfer and any statements that are required under Bankruptcy Rule 1003(a).

**REQUEST FOR RELIEF**

Petitioner(s) request that an order for relief be entered against the debtor under the chapter of title 11, United States Code, specified in this petition.

Petitioner(s) declare under penalty of perjury that the foregoing is true and correct according to the best of their knowledge, information, and belief.

X *Yolanda Mitchell* Spouse  
Signature of Petitioner or Representative (State title)  
Yolanda Mitchell 05/28/04  
Name of Petitioner Date Signed

Name & Mailing Yolanda Mitchell  
Address of Individual 107 Academy, Buffalo, NY 14211  
Signing in Representative  
Capacity

X \_\_\_\_\_  
Signature of Attorney Date

Name of Attorney Firm (If any)

Address

Telephone No.

X \_\_\_\_\_  
Signature of Petitioner or Representative (State title)

Name of Petitioner Date Signed

Name & Mailing  
Address of Individual  
Signing in Representative  
Capacity

X \_\_\_\_\_  
Signature of Attorney Date

Name of Attorney Firm (If any)

Address

Telephone No.

X \_\_\_\_\_  
Signature of Petitioner or Representative (State title)

Name of Petitioner Date Signed

Name & Mailing  
Address of Individual  
Signing in Representative  
Capacity

X \_\_\_\_\_  
Signature of Attorney Date

Name of Attorney Firm (If any)

Address

Telephone No.

**PETITIONING CREDITORS**

Name and Address of Petitioner Yolanda Mitchell 107 Academy Street Buffalo, NY 14211	Nature of Claim Marital Debt	Amount of Claim \$72,000
Name and Address of Petitioner	Nature of Claim	Amount of Claim
Name and Address of Petitioner	Nature of Claim	Amount of Claim
Note: If there are more than three petitioners, attach additional sheets with the statement under penalty of perjury, each petitioner's signature under the statement and the name of attorney and petitioning creditor information in the format above.		Total Amount of Petitioners' Claims

\_\_\_\_\_ continuation sheets attached

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK**

In Re: Lee Mitchell *SR*

Bankruptcy Case No. \_\_\_\_\_

Debtor

Chapter: 7

Address: 741 SYCAMORE STREET B2/6 14212

Social Security Number(s) 109-64-8616

Employer's Tax Identification No.(s)(if any) \_\_\_\_\_

**APPEARANCE OF CHILD SUPPORT CREDITOR\*  
OR REPRESENTATIVE**

I certify under penalty of perjury that I am a child support creditor\* of the above-named debtor, or the authorized representative of such child support creditor, with respect to child support obligation which is set out below.

Name: YOLANDA MITCHELL

Organization: \_\_\_\_\_

Address: 107 Rensselaer Rd B2/6 N.Y. 14211

Telephone No.: (716) 891-5437

Date: 6/8/04

*Yolanda Mitchell*  
Child Support Creditor\* or Authorized  
Representative

**SUMMARY OF CHILD SUPPORT OBLIGATION**

Amount in arrears:  
\$ 10,000

Amount currently due per week or per month on a  
continuing basis:  
\$ 600  
(Per week)

\$ \_\_\_\_\_  
(Per month)

If child support has been Assigned:

Amount of support which is owed under  
assignments:  
\$ \_\_\_\_\_

Amount owed primary child support creditor  
(balance not assigned)  
\$ \_\_\_\_\_

Attach an itemized statement of account

\* Child support creditor includes both creditor to whom the debtor has a primary obligation to pay child support as well as any entity to whom such support has been assigned, if pursuant to Section (402) (a) (26) of the Social Security Act or if such debt has been assigned to the Federal Government or to any State or political subdivision of a State.

**FILED**  
**ACTIONS & PROCEEDINGS**  
**MAR 19 2003**  
**ERIE COUNTY**  
**CLERK'S OFFICE**

At L.A.S. Part 14 of the Supreme Court of the State of New York, County of Erie, held at the Courthouse located at 92 Franklin Street, Buffalo, New York on the 18<sup>th</sup> day of March, 2003.

**Present: HON. FREDERICK J. MARSHALL, J.S.C**  
**Justice Presiding**

**STATE OF NEW YORK**  
**SUPREME COURT : COUNTY OF ERIE**

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**LEE MITCHELL**

**Plaintiff,**

**-vs-**

**YOLANDA MITCHELL**

**Defendant.**

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**ORDER**

**Upon Stipulation**

**Index No. SF2000-901950**

The above-named defendant, having properly move this Court by Order To Show Cause at a Special Term thereof, held in the Supreme Court of the State of New York, County of Erie, located at 92 Franklin Street, in the City Buffalo, County of Erie on the 18<sup>th</sup> day of March, 2003, for an Order (1) requiring plaintiff Lee Mitchell to immediately satisfy and abide by the terms, conditions and directives of the Order of Support of Erie County Family Court [Docket No. F-15362-2000] dated September 14, 2000; and (2) requiring plaintiff Lee Mitchell, in the event he is called to active military duty, to pay support, provide medical insurance, and other benefits, to defendant Yolanda Mitchell, and Morgen Mitchell, Lee Mitchell, Jr. and Try'Mayne Mitchell from income and benefits derived from plaintiff Lee Mitchell's military service, consistent with terms, conditions and directives of the Order of Support of Erie County Family Court dated September 14, 2000, and said matter having been duly heard by this Court at said Special Term, at which time

plaintiff, LEE MITCHELL appeared by his attorney Mary M. Donogher, Esq., and at which time defendant YOLANDA MITCHELL, appeared pro se, and the plaintiff LEE MITCHELL offering no opposition to the relief sought by defendant YOLANDA MITCHELL in the ORDER TO SHOW CAUSE, and that plaintiff LEE MITCHELL and defendant YOLANDA MITCHELL having entered into a stipulation, and after said matter having been duly heard by this Court and the stipulation having been accepted at said Special Term, and the Court after due deliberation,

NOW, on motion of defendant YOLANDA MITCHELL, it is,

ORDERED, that plaintiff LEE MITCHELL, within 7 days of entry of this ORDER, provide copies of documents that identifies his military unit and its' location; provide the name, rank, and address of the commanding officer of his military unit; produce and execute all forms and documents necessary to provide current and updated military identification cards with enrollment in military health insurance plans, for defendant YOLANDA MITCHELL and children Morgen Mitchell, Lee Mitchell, Jr. and Try'Mayne Mitchell; and provide defendant YOLANDA MITCHELL full and complete disclosure of any insurance policies that names either Yolanda Mitchell, Morgen Mitchell, Lee Mitchell, Jr. or Try'Mayne Mitchell as beneficiaries; and it is further

ORDERED, that plaintiff LEE MITCHELL forward by regular first class mail to residence of defendant YOLANDA MITCHELL copies of any and all deployment orders, not later than 24 hours of plaintiff's receipt of such; and it is further

ORDERED, that on the occurrence of deployment of plaintiff LEE MITCHELL by the United States military, the United States military is hereby ordered and authorized, consistent with the Order of Support of Erie County Family Court, dated September 14, 2000 [Docket No. F-15362-2000], with such being fully incorporated into and made part of this Order, to deduct from the military salary, stipend, and dependent care allowances provided to plaintiff LEE MITCHELL a sum of \$600.00 bi-weekly plus and additional \$300.00 bi-weekly, payable towards arrearage,

for a total sum of \$900.00 bi-weekly and forward such deductions by negotiable instrument made payable to defendant YOLANDA MITCHELL and mailed directly to defendant YOLANDA MITCHELL at 107 Academy Road, Buffalo, New York 14211; and it is further

ORDERED, that plaintiff LEE MITCHELL, in full consultation with defendant YOLANDA MITCHELL, shall make a full and accurate accounting of deficiencies in payments required by the Order of Support of Erie County Family Court, dated September 14, 2000 [Docket No. F-15362-2000] and file with the Clerk of the Court not later than 45 days after the entry of this Order a financial plan and payment schedule whereby plaintiff LEE MITCHELL will pay to defendant YOLANDA MITCHELL a sum equal to any deficiencies in the payments required by the Order of Support of Erie County Family Court, dated September 14, 2000 [Docket No. F-15362-2000].

Signed this 18 day of March, 2003.

**GRANTED**

MAR 18 2003

BY

  
ROBERT ADAMSKI  
COURT CLERK

  
Hon. FREDERICK J. MARSHALL  
Justice, New York State Supreme Court

ENTER: